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Proposed Co-Counsel for the Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	
)	Chapter 11
)	
BARNEYS NEW YORK, INC., <i>et al.</i> , ¹)	Case No. 19-36300 (CGM)
)	
Debtors.)	(Joint Administration Requested)
)	

**NOTICE OF COMMENCEMENT OF
CHAPTER 11 CASES AND HEARING ON FIRST DAY MOTIONS**

PLEASE TAKE NOTICE that on August 6, 2019 (the “Petition Date”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”), each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code,

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Barneys New York, Inc. (1818); Barney’s Inc. (2980); BNY Catering, Inc. (4434); BNY Licensing Corp. (4177), and Barneys Asia Co. LLC (0819). The location of the Debtors’ service address is: 575 Fifth Avenue New York, New York 10017.

11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), in the United States Bankruptcy Court for the Southern District of New York (the “Court”).

PLEASE TAKE FURTHER NOTICE that on the Petition Date, in addition to their chapter 11 petitions, the Debtors have filed the following first day motions and related pleadings (collectively, the “First Day Pleadings”):

1. ***First Day Declaration.*** Declaration of Mohsin Y. Meghji, Chief Restructuring Officer of Barneys New York, Inc., in Support of Debtors’ Chapter 11 Petitions and First Day Motions [Docket No. 22].
2. ***Joint Administration Motion.*** Debtors’ Motion Seeking Entry of an Order (I) Directing Joint Administration of their Related Chapter 11 Cases and (II) Granting Related Relief [Docket No. 2].
3. ***Statement of Financial Affairs and Schedules Extension Motion.*** Debtors’ Motion Seeking Entry of an Order (I) Extending Time to File Schedules of Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contracts and Unexpired Leases, Statements of Financial Affairs and (II) Granting Related Relief [Docket No. 23].
4. ***Creditor Matrix Motion.*** Debtors’ Motion Seeking Entry of an Order (I) Authorizing the Debtors to File a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (II) Authorizing the Debtors to File a Consolidated List of the Debtors’ Thirty Largest Unsecured Creditors, (III) Authorizing the Debtors to Redact Certain Personally Identifiable Information for the Debtors’ Employees, (IV) Approving the Form and Manner of Notifying Creditors of Commencement, and (V) Granting Related Relief [Docket No. 4].
5. ***Equity Trading Motion.*** Debtors’ Motion for Entry of Interim and Final Orders (I) Approving Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness With Respect to Common Stock and (II) Granting Related Relief [Docket No. 5].
6. ***Case Management Motion.*** Debtors’ Motion for Entry of Interim and Final Orders Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 6].
7. ***Noticing Agent 156 (c) Retention Application.*** Debtors’ Application Seeking Entry of an Order (I) Authorizing and Approving the Appointment of Stretto as Claims and Noticing Agent and (II) Granting Related Relief [Docket No. 24].

8. **Cash Management Motion.** Debtors' Motion Seeking Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Related Thereto, (C) Maintain Existing Business Forms, and (D) Continue to Perform Intercompany Transactions, (II) Granting Administrative Expense Status to Postpetition Intercompany Balances, and (III) Granting Related Relief. [Docket No. 8].
9. **Taxes Motion.** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief [Docket No. 9].
10. **Insurance Motion.** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Satisfy Obligations Related to Insurance Policies, (B) Renew, Supplement, Modify, or Purchase Insurance Coverage, (C) Maintain the Surety Bonds, (D) Honor the Terms of the Financing Agreement and Pay Premiums Thereunder, and (E) Enter into New Financing Agreements in the Ordinary Course of Business and (II) Granting Related Relief. [Docket No. 10].
11. **Wages Motion.** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Pay Prepetition Employee Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Docket No. 11].
12. **Lease Rejection Motion.** Debtors' Omnibus Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases of Nonresidential Real Property, Effective as of the Rejection Date, and (B) Abandonment of Any Personal Property Related Thereto, and (II) Granting Related Relief [Docket No. 12].
13. **All Vendors Motion.** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Payment of (A) Prepetition Claims of Lien Claimants, (B) Foreign Vendor Claims, (C) Section 503(B)(9) Claims, and (D) Critical Vendor Claims, and (II) Granting Related Relief [Docket No. 13].
14. **Customer Programs Motion.** Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Maintain and Administer their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (B) Granting Related Relief [Docket No. 14].
15. **Utilities Motion.** Debtors' Motion for Entry of an Order (A) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Service, (B) Determining Adequate Assurance of Payment for Future Utility Services, (C) Establishing Procedures for Determining Adequate Assurance of Payment, and (D) Granting Related Relief [Docket No. 15].

16. ***DIP Motion.*** Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Obtain Postpetition Financing, (B) Authorizing the Debtors to use Cash Collateral, (C) Granting Liens and Providing Superpriority Administrative Expense Status, (D) Granting Adequate Protection to the Prepetition Lenders, (E) Modifying the Automatic Stay, (F) Scheduling a Final Hearing, and (G) Granting Related Relief [Docket No. 20].

PLEASE TAKE FURTHER NOTICE that on the Petition Date, in addition to their chapter 11 petitions and the First Day Pleadings, the Debtors have filed the following motions and related pleadings to be heard at a later date (collectively, the "Later Hearings Pleadings"):

1. ***Lease Rejection Motion.*** Debtors' Omnibus Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases of Nonresidential Real Property, Effective as of the Rejection Date, and (B) Abandonment of Any Personal Property Related Thereto, and (II) Granting Related Relief [Docket No. 12].
2. ***Utilities Motion.*** Debtors' Motion for Entry of an Order (A) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Service, (B) Determining Adequate Assurance of Payment for Future Utility Services, (C) Establishing Procedures for Determining Adequate Assurance of Payment, and (D) Granting Related Relief [Docket No. 15].

PLEASE TAKE FURTHER NOTICE that a hearing (the "First Day Hearing") to consider the above motions has been scheduled by the Court for **August 6, 2019, at 3:30 p.m. (prevailing Eastern Time)**, with such hearing to be held before the Honorable Cecelia G. Morris, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, at the United States Bankruptcy Court for the Southern District of New York, 355 Main Street, Poughkeepsie, New York 12601, in accordance with the Court's schedule. The Debtors have requested that the Court consider the relief requested in the First Day Pleadings on a final basis, in certain cases, or on an interim basis pending a final hearing to be scheduled at a later date. The Debtors will file an agenda in advance of the First Day Hearing.

PLEASE TAKE FURTHER NOTICE that copies of the First Day Pleadings and Later Hearing Pleadings may be obtained free of charge by visiting the website of Stretto at

<http://www.case.stretto.com/barneys>. You may also obtain copies of any pleadings by visiting the Court's website at <http://www.nysb.uscourts.gov> in accordance with the procedures and fees set forth therein.

PLEASE TAKE FURTHER NOTICE that your rights may be affected. You should read the First Day Pleadings carefully and discuss them with your attorney, if you have one in connection with the chapter 11 cases. (If you do not have an attorney, you may wish to consult with one).

PLEASE TAKE FURTHER NOTICE that if you do not want the Court to grant the relief requested in the First Day Pleadings, or if you want the Court to consider your views on the First Day Pleadings, then you or your attorney must attend the First Day Hearing. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the First Day Pleadings and may enter orders granting the relief requested in the First Day Pleadings.

Dated: August 6, 2019
New York, New York

/s/ Joshua A. Sussberg, P.C.

Edward O. Sassower, P.C.

Joshua A. Sussberg, P.C.

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